IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

Taken up WRIT PETITION No.13572 of 2002

Between:

Sri C.Ravinder Kumar,
R/o.127/SRT, Sanjeeva Reddy Nagar,
Hyderabad.

..... PETITIONER

AND

1 The S.H.O., Jubilee Hills Police Station
Hyderabad
2 The Sub-Inspector of Police Jubilee Hills PS
Hyderabad
3 M.Venkateswarlu, Circle Inspector of Police
Jubilee Hills P.S., Hyderabad
4 The Commissioner of Police, Twin Cities
Hyderabad.
5 The Director General of Police
Govt. of A.P Hyderabad.
6 The Secretary to Govt. of A.P Home (Police) Department,
Secretariat, Hyderabad
7 The Collector & District Magistrate
Hyderabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction, or a Writ, more particularly one in the nature of writ of mandamus calling for remarks and records from the respondents herein, in and connected to the action of the Circle Inspector of Police, Viz. M.Venkateswarlu, of Jubilee Hills Police Station, herein, whom the petitioner herein approached and requested whether any case has been registered against the accused viz.Zakir, arrested by the Police personnel of Jubilee Hills Police Station, therein the Respondent No.3 herein in a rough and rude manner directed his constable to bring, the accused person and manhandled and abused Zakir in a most unparliamentary language case and challenged the Advocates could do, and the detenu was released on 4-7-2002 at 12-30 PM by foisting a petty case and took a bribe of Rs.3,000 from the relatives of the arrested person, and to pass appropriate orders by directing the concerned authorities to enquire into the matter and to punish deterently the guilty police official and also to take steps to prevent such incident in future; and to pass such other order or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner :Taken up Writ Petition.

Counsel for the Respondents : G.P. FOR HOME

The Court made the following :

ORAL ORDER: (Per Hon'ble the Chief Justice)

C.Ravinder Kumar, Advocate, had sent a representation, which was registered and taken up as writ petition, alleging that the Circle Inspector of Police, Jubilee Hills Police Station, had threatened him. Respondents were called upon to file reply.

Sri I.Ratnakara Babu, Assistant Commissioner of Police, Banjara Hills, Hyderabad, has filed affidavit in reply stating that he had got done a detailed enquiry into the matter after receipt of notice from this Court and found the allegations against respondents 1 to 3 were incorrect. During the course of enquiry, it was revealed that one Syed Jahangir, Resident of Karmikanagar, Hyderabad, came to Jubilee Hills Police Station on 03-07-2002 at about 2.30 p.m. and gave a complaint stating that his distant relative, Mohd. Zakir on 02-07-2002 had quarrelled with him and caused injury. Thereafter, the Sub-Inspector of Police visited the house of the

accused Zakir, and informed his grandfather about the incident and on the same day,

C.Ravinder Kumar, Advocate, came to Jubilee Hills Police Station and enquired as to why the Police was calling

Mohd. Zakir, which was explained by the Sub-Inspector. The accused was brought to the Police Station on 04th July, 2002 in the afternoon. Meanwhile, some elders of the locality came to the Police Station and C.Ravindra Kumar also visited the Police Station. The Assistant Commissioner of Police further states that on verification of the record it was found that Mohd. Zakir was not arrested by the Jubilee Hills Police and in the same case, both the parties settled the dispute amicably in the Police Station. It is further stated that basing on the complaint, Petty Case No.555 of 2002 was registered against Mohd. Zakir under Section 70 of Hyderabad City Police Act and Section 323 of Indian Penal Code, and on coming to know of this, the accused along with C.Ravindra Kumar, Advocate, appeared before the Circle Inspector of Police and C.Ravindra Kumar objected to registering of the case, but the enquiry revealed that Mohd. Zakir was never arrested or abused. The allegations of threatening and abusing the said Advocate have also been denied.

In view of the affidavit in reply, we do not find any ground to issue any further direction in the matter. In case C.Ravinder Kumar, Advocate, had any grievance, nothing prevented him from taking appropriate proceedings against the concerned police officials in accordance with law.

Writ Petition stands closed.

_____

DEVINDER GUPTA, C.J.

_____

M.NARAYANA REDDY, J

31-01-2005

bsc

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The S.H.O., Jubilee Hills Police Station
Hyderabad
2 The Sub-Inspector of Police Jubilee Hills PS
Hyderabad
3 M.Venkateswarlu, Circle Inspector of Police
Jubilee Hills P.S., Hyderabad
4 The Commissioner of Police, Twin Cities
Hyderabad.
5 The Director General of Police
Govt. of A.P Hyderabad.
6 The Secretary to Govt. of A.P Home (Police) Department,
Secretariat, Hyderabad
7 The Collector & District Magistrate
Hyderabad District.

8. 2CCs to Govt. Pleader for Home, High Court buildings,

Hyderabad (OUT)

9. 2CD copies

Form-NIC-OGS/WP{ }